

REMARKS

Claims 1 through 29 are pending in the subject patent application. Claims 1 through 29 have been rejected.

Discussion of Rejections under 35 U.S.C. §103

Claims 1 through 29 have been rejected under 35 U.S.C. §103 as being unpatentable over Chamberlain '518 in view of Schocket '141, and in the case of some claims, further in view of other prior art. The Examiner contends that it would have been obvious to one skilled in the art that Chamberlain could be modified to incorporate the use of a gaze fixation target as taught by Schocket, to arrive at the present invention. The Applicant respectfully submits that claims 1 through 29 overcome this rejection.

Frederick R. Chamberlain, IV, the sole inventor of the invention disclosed in U. S. Pat. No. 5,610,518, is clearly the best example of a person skilled in the particular art addressed by his invention, as disclosed in that patent. Enclosed herewith is the sworn affidavit of Mr. Chamberlain, attesting to the fact that, although he is aware of the disclosure of Schocket '141, it would never occur to him to combine the disclosure of Schocket '141 with his own invention addressed in Chamberlain '518. Further, Mr. Chamberlain attests that he has at all pertinent times been aware of other public disclosures of the efficacy of movement of the eye of a patient to facilitate an eye examination, and in spite of his knowledge of all of that prior art, it had never occurred to him to modify his own invention by including eye movement, up until the time he was made aware of the present invention. Finally, as a person skilled in the art, Mr. Chamberlain attests to his belief that the present invention constitutes a valuable and long sought improvement in the art of detection of foreign particles in the eye.

Therefore, the Applicants respectfully submit that the Examiner is in error in supposing that one skilled in the art would have combined Chamberlain '518 with Schocket '141, and the rejections of claims 1 through 29 should be withdrawn.

The Applicants respectfully submit that claims 1 through 29 are patentable, and that the application is now in a condition for allowance. An early Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at (360)599-2285 for any reason that would advance the instant application to issue.

Dated this 26th day of July, 2005.

Respectfully submitted,



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CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I hereby certify that this Response to Office Action is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria VA 22313-1450, on this, the 26th day of July, 2005.



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